

# State 404 Application Review: Species Coordination Overview

## START

**FDEP** receives and forwards application to FWC and USFWS, Technical assistance begins

RAI process

### FDEP/FWC/USFWS team review

- 1) State determines if FDEP or FWC is coordinating with USFWS
- 2) State requests additional information if needed
- 3) State identifies preliminary species potentially affected
- 4) State makes preliminary impact/effect determination
- 5) State sends species list and impact determination to USFWS
- 6) USFWS may provide information as appropriate

Species coordination and USFWS technical assistance ends; Permitting process continues; Public notice sent to USFWS

No Effect

State makes final determination of whether activities pose reasonable potential for affecting endangered or threatened species or critical habitat.

40 CFR §233.51(b)(2) and State 404 Handbook 5.2.3 FAC

May affect

When administratively complete, FDEP posts **Public Notice**

### \*EPA Review includes:

Review and coordination with USACE and USFWS  
40 CFR Part §233.50(b)

Includes RAI process with FDEP  
40 CFR Part §233.50(c)

Sent to **EPA** for review\*

40 CFR Part §233.51(b)(2)

40 CFR Part §233.50(a)

Sent to **USFWS** for continued technical assistance

EPA provides written comments to FDEP; objects or recommends permit conditions

40 CFR Part §233.50(d) and (e)

No

**Public Meeting?**

62-331.060(4) FAC

Yes or No

After hearing, FDEP must issue permit as revised to satisfy EPA or notify EPA of intent to deny  
40 CFR Part §233.50(h)(2)

OR

After hearing, EPA may withdraw objection or recommend permit conditions; FDEP can issue permit  
40 CFR Part §233.50(h)(1)

Yes

**Public Hearing/ Meeting?**

40 CFR Part §233.50(f) and (g) and  
62-331.052(3)(b)3 FAC

No

FDEP may issue revised permit that satisfies EPA or notifies EPA of intent to deny  
40 CFR Part §233.50(i)

OR

FDEP neither satisfies EPA nor denies permit, USACE will process permit application  
40 CFR Part §233.50(j)

1) FDEP incorporates all final recommended protection measures as permit conditions;

OR

2) FDEP issues an intent to deny the application  
62-331.053(3)(a)4 FAC